

ZULIMA V. FARBER  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
Richard J. Hughes Justice Complex  
25 Market Street  
P.O. Box 093  
Trenton, New Jersey 08625-0093

By: Kay R. Ehrenkrantz  
Depury Attorney General  
Telephone: (609) 984-4654

**FILED**

March 22, 2006

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE LICENSE OF

Administrative Action

ALEJANDRO PRESILLA, M.D.  
LICENSE NO. MA 35461

: CONSENT ORDER AMENDING  
: PRIOR ORDER AND RESTORING  
: ACTIVE LICENSE

TO PRACTICE MEDICINE AND  
SURGERY IN THE STATE OF  
NEW JERSEY

This matter was most recently opened to the New Jersey State Board of Medical Examiners ("Board") based on a request by Alejandro Presilla, M.D. ("Respondent") for the reinstatement of an active licensee to practice medicine and surgery and permission to move to the next phase of his Education Plan created in December 2003 by the Center for Personalized Education for Physicians ("CPEP") and developed pursuant to the Initial Consent Order, filed November 16, 2004 ("Initial Order"). Respondent's license was previously actively suspended by the Board in the

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Initial Order, dated November 16, 2004, following an investigation of his laboratory practices and medical practice. Counsel Lourdes Martinez, Esq. has represented Respondent throughout this matter. Respondent has participated in the focused evaluation by CPEP since December 2003, and has been actively addressing areas requiring remediation that were identified. In September 2005, Respondent received a limited license for the purpose of effectuating the CPEP remediation plan. Based on a review of the CPEP report by Board Medical Education Director Mary Blanks, M.D., Dr. Blanks' recommendations, Respondent's compliance with other requisite terms of the Initial Order, including Respondent's appearance before a Committee of the Board, the Board has determined that the within disposition is adequate to protect the public health, safety and welfare at this time. For such reasons and other good cause shown,

IT IS ON THIS 23<sup>rd</sup> DAY OF ~~FEBRUARY~~, 2006,  
MARCH

ORDERED AND AGREED:

1. Respondent Alejandro Presilla, M.D.'s license to practice medicine and surgery in the State of New Jersey is hereby reinstated to an active status effective immediately on entry of this Order, but shall remain subject to a three (3) year stayed suspension, which shall be served as a period of probation.

2. Respondent must continue to remediate any and all deficiencies identified in the CPEP evaluation performed pursuant to the Initial Order. Any prior deficiencies identified by CPEP

shall serve as a guide to the areas of remediation which Respondent must continue to address and rectify, Respondent shall participate in the Board-approved focused education program ("Education Plan") developed by CPEP, and successfully complete any and all supplemental follow-up and remediation required by such evaluation program, subject to further review of such assessment and/or remediation by the Board, through its Medical Education Director.

3. Effective immediately and at all times during the implementation of Phase II of the CPEP Plan, Respondent shall work under the supervision and responsibility of the education preceptors approved by CPEP, and accepted by the Board, Leonardo DiVagno, M.D. and Ashoke Agarwal, M.D.

4. Respondent agrees never in the future to own or operate a clinical laboratory.

5. Respondent is hereby assessed:

1. Civil penalties, pursuant to N.J.S.A. 45:1-22, and cost of investigation (including expert fees) for a total of Forty Thousand Dollars (\$40,000.00);

2. A Certificate of Debt has been filed for the sums identified in paragraph 5(a). Payment of all monies owed, pursuant to (a)-(b), shall be submitted in monthly payments of One Thousand Seven Hundred One Dollars and sixty-one Cents (\$1,701.61) and paid in full within twenty-four (24) months of the date of entry of this Order, with interest accruing from the date of entry of this Order

at the post-judgment interest rate as established by New Jersey Court Rule 4:42-11(a) (ii) at the time of the Initial Order, was 2% for the year 2004. Payment shall be submitted by certified check or money order payable to the State of New Jersey. Payment shall be sent via regular mail to William Roeder, Executive Director, Board of Medical Examiners, P.O. Box 183, Trenton, NJ 08625-0183. The first payment shall be due within thirty (30) days of the filing of this Consent Order reinstating Respondent's active licensee. Thereafter, payment shall be received in the Board office by the fifteenth (15th) of each month.

6. In addition to the education preceptors specified in paragraph 3 above, a Board-approved practice monitor shall be a further requirement of Respondent's resumption of active medical practice and shall remain in place at any medical setting in which Respondent is employed, until the period of probation is completed.

The practice monitor identified by Respondent and approved by the Board at this time is Leonardo DiVagno, M.D. The practice monitor's responsibilities shall include, but not be limited to, the issuance of reports every two months, beginning two months after the date of entry of this Order, thereby ensuring that Respondent's medical practice complies with the terms of the Order and that his medical practice is operated consistently with Board statutes and regulations, including, but not limited to, compliance with the standard of care; medication storage; medical

recordkeeping systems; and proper licensing of all employees and all equipment. Reports shall be submitted to the Medical Education Director of the Board.

7. The Board and CPEP approved preceptors and practice monitors identified in paragraphs 3 and 6 above shall warrant, under penalty of discipline from the Board of Medical Examiners, that Respondenc will not practice in any way, in violation of this Order while under their supervision.

8. All reporting of patient observations and supervised patient encounters Contemplated by Phase II of the CPEP Education Plan will be carried out in accordance with that plan and will also include copying of reports to, and involvement with, the Medical Education Director of the Board, Mary Blanks, M.D.

9. Respondenc may apply for restoration of his CDS and DEA registrations, and shall provide copies of such registrations to the Board office.

10. Before Respondent may change a preceptor or monitor under this Order, copies of the curricula vitae of any proposed substitute shall be submitted to the Medical Education Director of the Board for approval of their participation as monitors/preceptors. Such approval shall not be unreasonably withheld.

11. The Medical Education Director of the Board may, from time to time, communicate with Drs. DiVagno or Agarwal with regard to the activities of Respondent under the terms of this Order..

12. Dr. DiVagno, Dr. Agarwal and any other approved preceptor/monitor shall execute a copy of this Consent Order and shall by so executing a copy of this Consent Order agree to be bound by and to obey each and every term and condition of this Order.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By: Sindy Paul, M.D., M.P.H.  
Sindy Paul, M.D., M.P.H.  
President

Accepted by:

Kay R. Ehrenkrantz  
Kay R. Ehrenkrantz  
Deputy Attorney General

Alejandro Presilla  
Alejandro Presilla, M.D.

Lourdes Martinez  
Lourdes Martinez, Esq.

Leonardo DiVagno  
Leonardo DiVagno, M.D.  
Cardiology and Internal  
Medicine Preceptor and  
Practice Monitor

Ashoke Agarwal  
Ashoke Agarwal, M.D.  
Cardiologist Preceptor